

JAP:MMH

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

13 M 894

-----X
UNITED STATES OF AMERICA

- against -

MICHAEL MOISES PEREZ,

Defendant.

SUBMITTED UNDER SEAL

AFFIDAVIT AND
COMPLAINT IN SUPPORT OF
ARREST WARRANT

(18 U.S.C. § 875
844(e))

-----X
EASTERN DISTRICT OF NEW YORK, SS:

MICHAEL P. DICAPRIO, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

On or about August 14, 2013 and August 28, 2013, within the Eastern District of New York and elsewhere, the defendant MICHAEL MOISES PEREZ did through the use of an instrument of interstate and foreign commerce, knowingly and willfully made a threat, and maliciously conveyed false information knowing the same to be false, concerning an alleged attempt to be made to kill, injure, and intimidate an individual, and unlawfully to damage and destroy a vehicle and other real and personal property, by means of an explosive.

(Title 18, United States Code, Section 844(e))

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been involved in the investigation of numerous cases involving airport security, and threats made against airlines. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation, including the Port Authority Police Department of New York and New Jersey ("PAPD").

2. On or about August 14, 2013, an anonymous individual, later identified as MICHAEL MOISES PEREZ, sent threatening text messages (the "August 14 texts") to the cellphone of a duty manager and the general manager of Global Elite Security ("GES") at John F. Kennedy International Airport ("JFK") in Queens, New York. GES is a contracted security company for Emirates Airlines, which maintains an office at JFK. In the August 14 texts, PEREZ threatened to blow up a GES vehicle with the duty manager in it, and to blow up Emirate Airlines. The August 14 texts were sent to the duty manager's and the general manager's work cellular telephone numbers, which are not publically available and which, upon information and belief, are only known to other GES employees.

3. An investigation revealed that the telephone number from which the August 14 texts originated was associated with an account at "Text Free Plus," a texting

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

application that masks an originating phone number and replaces it with a number supplied by Text Free Plus. The Text Free Plus return telephone number was assigned to PEREZ.

4. The investigation also revealed that PEREZ is a former GES employee who was fired in approximately May 2013 for getting into a physical altercation at work with another former GES employee.

5. The PAPD interviewed PEREZ, who admitted to sending the August 14 text messages. PEREZ also admitted, in sum and substance and in part, that the texts were fraudulent, that he never intended to blow up a GES vehicle and Emirate Airlines and that he instead was attempting to cause a problem between two GES employees. On or about August 14, 2013, the PAPD placed PEREZ under arrest for falsely reporting an incident, among other state charges.

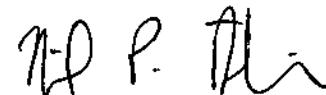
6. On or about August 28, 2013, between 6:00 p.m. and 10:00 p.m., another GES duty manager received six text messages on his cellphone threatening to blow up an Emirate Airlines flight at JFK (the "August 28 texts"). The August 28 texts were sent to the duty manager's and the general duty work cellular telephone numbers, which are not publically available and which, upon information and belief, are only known to other GES employees. Shortly after this incident, GES changed its duty managers' work cellphone numbers to avoid further threatening text messages.

7. PAPD was notified and determined that the only Emirates flight present at JFK during those hours was Emirate Airlines flight EK 202. The flight was diverted prior to take off and eight pieces of luggage that required rescreening were located and removed. No

explosive devices were recovered. After a five-hour delay, the flight was able to take off without incident.

8. An investigation revealed that the August 28 texts were sent using "Pinger," a texting application that masks the originating telephone number and replaces it with a number supplied by Pinger. Further investigation revealed that the Pinger return telephone number was assigned to PEREZ.

WHEREFORE, your deponent respectfully requests that the defendant MICHAEL MOISES PEREZ, be dealt with according to law.


MICHAEL P. DICAPRIO
Special Agent, Federal Bureau of Investigation

Sworn to before me this
16th day of October, 2013


THE HON.
UNITED S
EASTERN

S/Levy
Y
DGE
K